

41 TS00-084



Application no. 10/082,021

2812

January 19, 2004

TO: Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Art Unit 2812 - Examiner Booth, Richard

FROM: George O. Saile, Reg. No. 19,572  
28 Davis Avenue  
Poughkeepsie, N.Y. 12603

RECEIVED  
JAN 30 2004  
TECHNOLOGY CENTER 2800

SUBJECT: Serial #: 10/082,021  
File Date: Feb. 21, 2002  
Inventor: Kuei-Ying Lee  
Examiner: Booth, Richard  
Art Unit: 2812  
Title: Novel Products Derived from Embedded Flash/EEPROM Products

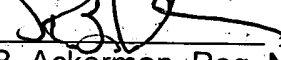
### RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

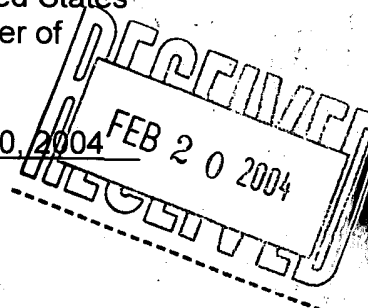
This is in response to the Election of Species Requirement in the Office Action dated Dec. 17, 2003. In that office action, applicant was required under 35 U.S.C. 121

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Jan. 20, 2004.

Signature   
Stephen B. Ackerman, Reg. No. 37,761

Date: Jan. 20, 2004



to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, and that currently no claim is generic.

The species stated are:

A first embodiment directed to a method of forming a ROM product, which reads on Claims 1-31, and

A second embodiment directed to a method of providing ROM products to a customer, which reads on Claims 32-43.

Applicant provisionally elects to be examined the species described by the Examiner as the first embodiment, which reads on Claims 1-31. This election is made with traverse of the requirement under 37 C.F.R. 1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Election of Species given in the Office Action, because of the increased costs applicant would be forced to bear if the two species are separately examined. Furthermore, the field of search must necessarily cover both species, in addition to other related Classes and subclasses, to provide a complete and adequate search.

Withdrawal of the Election of Species Requirement, and allowance of the present Patent Application, is therefore respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. B. Ackerman', with a stylized flourish extending from the end.

Stephen B. Ackerman, Reg. No. 37,761